



**GAE Committee
Public Hearing
February 22, 2021**

TESTIMONY OF SECRETARY OF THE STATE DENISE W. MERRILL REGARDING:

- **H.J. No. 58, RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING**
- **H.J. No. 59, RESOLUTION APPROVING AN AMENDMENT TO THE STATE CONSTITUTION TO ALLOW FOR EARLY VOTING**
- **S.B. No. 901, AN ACT EXTENDING TO JUNE 30, 2021, CHANGES IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF COVID-19**
- **H.B. No. 6464, AN ACT EXTENDING TO MAY 31, 2021, SEVERAL CHANGES IMPLEMENTED FOR THE 2020 STATE ELECTION AS A RESULT OF COVID-19**

Good morning Chairmen Fox and Flexer, Vice Chairs Haskell and Thomas, Ranking Members Sampson and Mastrofrancesco, and members of the committee. My name is Denise Merrill and I am the Secretary of the State of Connecticut.

- **H.J. No. 58, RESOLUTION PROPOSING A STATE CONSTITUTIONAL AMENDMENT TO ALLOW NO-EXCUSE ABSENTEE VOTING**
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Taken together, H.J. 58 and H.J. 59 would bring Connecticut in line with the vast majority of states by giving more flexibility to voters as to when they could cast a ballot. 43 states currently allow their voters to vote in person prior to Election Day and/or vote by absentee ballot without an excuse. Connecticut is in a small and shrinking group of states – along with Alabama, Kentucky, Missouri, Mississippi, New Hampshire, and South Carolina – that require all voters to vote in person in a polling place on Election Day unless they present a specific reason why they cannot appear. In 2016 a third of voters, almost 50 million people nationwide, voted early; in 2020, those numbers had grown to more than 100 million people voting early representing more than two thirds of the total votes cast.

And this phenomenon is not partisan. Utah, Colorado, and Oregon conduct all-mail elections. Louisiana, Georgia, and Massachusetts have Early Voting. Idaho, Ohio, and Vermont have in-person absentee ballots without an excuse. Red states, purple states, and blue states almost all allow their voters to conveniently vote prior to Election Day. Early voting and expanded access to absentee ballots without an excuse are common sense, voter-centric reforms that have wide support across the country among members of all demographic groups and political parties.

Recent public polling in Connecticut argues that this is true here as well. Despite a highly polarized electorate, 79% of Connecticut voters support Early Voting and 73% of Connecticut voters support expanding access to absentee ballots to all voters without requiring an excuse. These results run counter to our current partisan schism – 69% of Republicans, 79% of Unaffiliated voters, and 86% of Democrats won't agree on much, but they all agree that they should have the option to vote in-person before Election Day. Likewise, 48% of Republicans, 75% of Unaffiliated voters, and 89% of Democrats may not agree on tax policy or immigration, but they do agree that we should allow people to choose to vote by absentee ballot while leaving polling places open on Election Day.

In 2020, we faced a uniquely challenging election. A deadly, global pandemic that is transmitted through respiratory droplets in direct person-to-person contact threatened to turn voters and poll workers into disease vectors and threaten our democracy by rendering our polling places unsafe. I worked with my staff and the local election officials in each of the 169 Connecticut towns to create a system of election administration in which every voter would be able safely cast their ballot without endangering their health. COVID-19 had exposed the fundamental inflexibility of our election system. We responded by using federal funding to give towns the resources they needed to hold safe elections and, with the help of the legislature and the governor, created a system where every voter could choose to cast an absentee ballot because of COVID-19.

The result was a resounding success. More than 1.8 million people – a record number of Connecticut voters – cast ballots in November and more than 650,000 of them chose to vote by absentee ballot – 35% of total votes cast. Through the hard work and dedication of election officials across the state, under impossibly difficult circumstances, the 2020 election went relatively smoothly in Connecticut and no Connecticut voter was forced to choose between protecting their health and casting their vote and making their voice heard.

And now Connecticut voters are wondering, and contacting my office to ask, why can't they choose to vote this way in every election? Why can't they have the choice between voting early in-person, voting by absentee ballot, or voting in-person on Election Day? Why indeed.

Unfortunately, as you on this Committee know, it is not as simple a question as it sounds.

Typical of New England, and basically nowhere else in the country, the Connecticut Constitution requires that voters appear in person on Election Day. That is why I am here today supporting a constitutional amendment rather than simple legislation. In order voters to decide, the legislature must first pass constitutional amendments.

H.J. 59 would allow the legislature to create a system of in-person Early Voting. This amendment passed the legislature in 2019 without a supermajority in both chambers, so it needs to pass again by a simple majority before voters will be able to have their say. If the General Assembly passes this amendment the question will appear on the ballot at the 2022 election.

H.J. 58 would remove the restrictions preventing voters from voting by absentee ballot without an excuse from the Connecticut Constitution. This is the first time this amendment has come before the General Assembly so it would need a supermajority vote of 75% in each chamber for voters to have their say in 2022.

I support these resolutions with some clarifying language changes that I would be happy to work on with the members of this committee.

In both cases, a yes vote for the resolution is a vote to simply remove the restrictions against Early Voting and expanded access to absentee ballots from the Connecticut Constitution. When these amendments finally pass, as I hope and believe they will, that will begin the conversation of how to implement these election reforms. We cannot even have that conversation until those restrictions are removed from the Constitution. This is only the first step in the process of giving Connecticut voters the same opportunity to choose to vote conveniently that voters of 43 states already enjoy.

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These bills would extend temporary changes to the absentee ballot statutes made by the legislature last year in special session to cover the May municipal elections and any special elections that occur in that timeframe.

The legislature made these changes for the election in November 2020 because the COVID-19 crisis necessitated allowing Connecticut voters to vote by absentee ballot if they chose to do so. As the COVID-19 pandemic is ongoing, and we do not yet have widespread access to a vaccine,

voters voting in upcoming elections should also be allowed to chose to vote by absentee ballot and should not be forced to choose between their health and their right to vote. These bills differ in the length of the extension and which provisions to extend, but both extend the core provision allowing voters to be able to request an absentee ballot using COVID-19 as an excuse and either would be welcome for voters in the affected areas.

I support this concept.

Thank you.